

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Reexamination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Claim Status

In this response, claim 11 has been amended to correct a minor oversight and make this claim dependent on claim 10. Claims 4-7 and 9-16 stand allowed.

Rejections Under 35 USC § 102

The rejection of claim 8 under 35 USC § 102(b) as being anticipated by Christie et al. (USP 5,926,482) is respectfully traversed.

It is submitted that the position taken in this rejection that Christie et al. disclose "a routing label (message) that contains a DPC (destination address/point codes) and OPC that identify signaling points in the network (Column 7, lines 9-14)", is not specifically supported by the disclosure relied upon.

More specifically, column 7, lines 9-14 states:

However, if interface unit 27 is prime for link 44, interface unit 27 will learn of the event based on its interface with link 44.

STP 20 predetermines which interface unit will have primary responsibility for managing communications with a particular resource.

It is submitted that there is a lack of nexus between the assertion made in this rejection and the disclosure which is asserted to support the same. That is to say, just how this discloses the alleged routing label (message) that contains a DPC (destination

address/point codes) and OPC that identify signaling points in the network, is not at all clear, and the Applicant cannot concur with this position. If this position is to be maintained, it is respectfully submitted that the nexus between the assertion and the actual disclosure be clarified.

Further, the rejection additionally asserts that the Applicant has noted that a point code is used to define a destination address and quotes page 7, lines 19-20 of the remarks filed in the last response.

However, this section of said remarks states:

Basically, point codes are unique identifiers for signalling points within an SS7 network. One point code is assigned to each signalling point and signalling transfer point. A point code is a number. In the specification, the term "point code" is used to refer to the entity that is identified by the point code and the term point code number is used to refer to the identifier itself. It is submitted that this is made clear in the opening paragraph of the instant specification.

In connection with claim 8, the issue as to what distinguishes the "point code number" from the destination address, is raised. Inasmuch as claim 8 specifies that the point code number is used to define a destination address in the recited signalling link test message, this issue raised is not clear. That is to say, the point code number is used to define the destination address. The relationship is clear and it is not seen that there is any further need to distinguishing between the two.

In terms of anticipation, it is not clear what nexus this point has with that discussed *supra*, nor how it renders all that is claimed, known. The position that MPT

level 2 alignment is "inherent" for communication to occur, is therefore challenged and clarification as to how this conclusion is reached is submitted as being necessary if this position is to be maintained. It will also be necessary to show that this alleged "inherency" occurs in each and every situation and not just under given conditions, should this line of argument be maintained.

Rejection under 35 USC § 103(a)

The rejection of claims 1-3 under 35 USC § 103 as being unpatentable over Christie et al. in view of Longfield et al. is respectfully traversed.

In this rejectoin, it is acknowledged that Christie et al. does not expressly disclose that upon receiving a message originating from a distant point code, a table is updated with the point code number of the distant point code, and cites Longfield et al. to overcome this admitted shortcoming.

However, the application of the teachings of Longfield et al. is incomplete. Longfield et al. disclose that an event such as disclosed at column 6, lines 48-65, is necessary in order to trigger certain operations. Viz., :

As shown in FIG. 3, each of the interface units 22-27 further monitor the resources for a change in any resources status, i.e. an **event** (step 70). A resource **event** indicates either a change of the resource's status **from a normal condition to a problem condition** or vice versa. Any of interface units 22-27 within STP 20 may detect an event with one of the plurality of resources serviced by signaling point 20.

By way of example and not limitation, link 44 in FIG. 2 may fail, perhaps due to the accidental severing of a transmission cable. In that situation, interface unit 27 within STP 20 will detect an out-of-service situation, i.e., an

event that is a problem condition, for link 44. Interface unit 27 will then **communicate the problem condition** to all other interface units 22-26 within STP 20 (step 72). Interface unit 27 in STP 20 will communicate via central bus 30 with the other interface units. (Emphasis added)

The section of this reference which relied upon to establish a *prima facie* case of obviousness is included in the following quote taken from column 7, line 64 – column 8 line 12:

As shown in FIG. 4, when an **event** occurs at a subsystem database, an interface unit, such as interface unit 27, will receive an SCCP message from SCP 38 (step 80). That message can be, for instance, a subsystem prohibit (SSP), a subsystem available (SSA), or a subsystem test (SST) message. If interface unit 27 receives an SSP, which indicates that a problem event has occurred with the subsystem of SCP 38, interface unit 27 will broadcast that information to all other interface units in STP 20 using central bus 30 (step 82). In a preferred embodiment, interface unit 27 will broadcast the point code and subsystem experiencing the **event** along with its own interface unit identifier. Interface unit 27 will then update a list of received SSPs stored in interface unit 27 with the new SSP obtained from SCP 38 (step 84) and that it was the interface unit that received the SSP, as will all other interface units within STP 20. (Emphasis added)

However, the rejection overlooks the need for the triggering “event.” It is submitted that the “event” in Longfield et al. is an essential feature and any transfer of teaching which are faithfully transferred from Longfield et al. to Christie et al., would have to contain consideration of the need for an event, such as that disclosed in

Longfield et al. to be the trigger for any of the processes which are subsequently disclosed in Longfield et al.

Without the rejection establishing that the detection of a triggering event (abnormal operation) such as that which is key to the Longfield et al. operation, is necessary in Christie et al., or that the teachings which stem from an abnormal occurrence, could be used in Christie et al. to suggest a revamp of the normal (viz., event free) Christie et al. operation, it is submitted that there is nothing to suggest any transfer of teachings from Longfield et al. to Christie et al.

Attention is called to the fact that the person of ordinary skill in the art "thinks along the lines of conventional wisdom in the art and is not one who undertakes to innovate *Standard Oil Co. v American Cyanamid Co.*, 227 USPQ2d 293, 298 (Fed. Cir. 1985). Attention is further called to the fact that, in order to establish a *prima facie* case of obviousness, it is necessary to show that the hypothetical person of ordinary skill would, without any knowledge of the claimed subject matter and without any inventive activity, be motivated to arrive at the claimed subject matter given the guidance of the cited references when each is fully considered as statutorily required.

Conclusion

It is submitted that subject matter of claims 1-3 and 8 is patentable over the art for at least the reasons advanced above. Favorable reconsideration and allowance of these claims along with those which stand allowed, is courteously solicited.

Respectfully submitted,

Date: July 21 2005
HEWLETT-PACKARD COMPANY
Customer No.: 022879

By William T. Ellis <sup>Reg. No.
43435</sup>
William T. Ellis
Registration No. 26,874

Keith J. Townsend
Registration No. 40,358